

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                  |   |                       |
|------------------|---|-----------------------|
| DWAYNE CAIN,     | ) |                       |
|                  | ) |                       |
| Plaintiff,       | ) |                       |
|                  | ) |                       |
| vs.              | ) | No. 4:05-CV-566 (CEJ) |
|                  | ) |                       |
| TODD MOODY and   | ) |                       |
| REBECCA CARAWAY, | ) |                       |
|                  | ) |                       |
| Defendants.      | ) |                       |

**ORDER**


This matter is before the Court on the motion of plaintiff for default judgment against defendant Rebecca Caraway. The Court notes that no motion for entry of default has been filed, and will therefore deny plaintiff's motion for default judgment.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion [#20] for default judgment is **denied**.

**IT IS FURTHER ORDERED** that plaintiff shall have until **September 15, 2006**, to file appropriate motions, in accordance with Rule 55 of the Federal Rules of Civil Procedure, for both entry of default and for default judgment against defendant Caraway, supported by all necessary affidavits and documentation.

Failure to comply with this order may result in the dismissal of this action against defendant Caraway without prejudice.

  
\_\_\_\_\_  
CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of August, 2006.